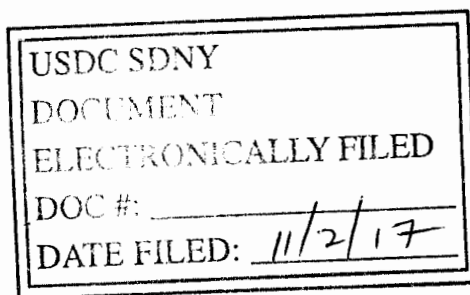


MEMO ENDORSED

November 2, 2017

*Via ECF and fax*

Hon. Gabriel W. Gorenstein  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, NY 10007



RE: *ACLU v. Dep't of Health & Human Servs.*, No. 1:17-cv-05514

Dear Judge Gorenstein,

On behalf of both parties, Plaintiff respectfully requests that further proceedings in this case be held in abeyance for three months and that the initial case management conference, which is currently scheduled for November 7, 2017, be adjourned and rescheduled for February 7, 2018.

This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. Since this case was filed, counsel for both parties have been diligently working to resolve the dispute without the need for judicial intervention. The parties expect that one of the Defendants will begin releasing records on a rolling basis shortly. After reviewing the document productions, the parties will be in a better position to determine what dispute—if any—remains.

Accordingly, on behalf of both parties, Plaintiff respectfully requests that this case be held in abeyance for three months and that the initial case management conference be adjourned and rescheduled for February 7, 2018.

Respectfully submitted,

/s/ Joshua A. Block

Joshua A. Block

Counsel for Plaintiff

Cc: Michael James Byars  
Counsel for Defendants

AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
LESBIAN GAY BISEXUAL  
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AIDS PROJECT

PLEASE RESPOND TO  
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RICHARD ZACKS  
TREASURER

The initial case management conference is adjourned sine die. The parties shall report every 60 days as to the status of the matter by means of a jointly composed letter. The first such letter will be due January 2, 2018.

FILED: DATE: 11/2/17  
  
GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE